

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

Blue Spike, LLC,

*Plaintiff,*

v.

Texas Instruments, Inc., et al.,

*Defendants.*

CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

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Blue Spike, LLC,

*Plaintiff,*

v.

Audible Magic Corporation, et al

*Defendant.*

CASE NO. 6:12-CV-576 MHS

CONSOLIDATED CASE

Jury Trial Demanded

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**ORDER OF DISMISSAL WITHOUT PREJUDICE OF TUNECORE, INC.**

Pursuant to Fed. R. Civ. P. 41(a), recognizing the Agreed Motion to Dismiss filed by plaintiff Blue Spike, LLC and defendant Tunecore, Inc., it is ordered as follows:


**ORDERED** that the claims asserted herein by plaintiff Blue Spike, LLC against defendant Tunecore, Inc. be, and hereby are, dismissed without prejudice;

**ORDERED** that the counterclaims and defenses asserted herein by defendant Tunecore, Inc. against plaintiff Blue Spike, LLC be, and hereby are, dismissed without prejudice; and

**ORDERED** that the parties shall bear their own attorneys' fees, expenses and costs.

**It is SO ORDERED.**

**SIGNED this 6th day of March, 2014.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE